

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Dennis Collier et al.
Serial No. : 10/724,121
Filed : December 1, 2003
Title : TISSUE REPAIR SYSTEM

Art Unit : 3738
Examiner : Melanie Jo Hand
Conf. No. : 9916

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REPLY TO ACTION OF MAY 4, 2007

Claims 1 and 25-51 are pending in this application, with claims 1 and 48-50 being independent.

Applicants thank Examiner Hand for participating in a telephonic interview with Applicant's representative on July 13th, 2007. The substance of the interview is incorporated into the following remarks.

Applicants note that the Examiner has not signed off on the PTO-1449 forms filed with the information disclosure statements on August 10, 2006 and on January 17, 2007. Applicants submit that the aforementioned information disclosure statements were in compliance with 37 CFR 1.97 and, therefore, respectfully request that the Examiner consider the cited references and initial and return the corresponding PTO-1449 forms.

Claims 1 and 25-51 have been rejected for double-patenting over claims 1-44 of U.S. Patent No. 6,986,781. As acknowledged by the Examiner during the interview, this double-patenting rejection has been rendered moot and should be withdrawn in view of the terminal disclaimer filed by applicants on April 11, 2007.

Claims 1 and 25-51 have been provisionally rejected for double-patenting over claims 1-44 of copending Application No. 10/305,998. As also acknowledged by the Examiner during the interview, this is a provisional rejection and, therefore, should not act as a bar to a Notice of Allowance.


Accordingly, applicants submit that the application is in condition for allowance and respectfully request that the Examiner issue a Notice of Allowance at her earliest convenience.

Applicants believe that no fees are due in connection with this filing. If any fees or credits are due, however, please apply any charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: _____

8/6/07



Roberto J. Devoto
Reg. No. 55,108

Fish & Richardson P.C.
1425 K Street, N.W.
11th Floor
Washington, DC 20005-3500
Telephone: (202) 783-5070
Facsimile: (202) 783-2331